

Serial No. 09/760,017
60130-984: 00MRA0174

REMARKS

Claims 1, 4, 8 and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Takeda. Takeda does not disclose a motorized reduction gear including a magnetic ring attached on an outer surface of a body of a commutator as claimed. Takeda discloses a power window apparatus including a tubular collar 21 fastened to a rotating shaft 17. As shown in Figure 1, the commutator 20 is on the tubular collar 21 (page 9, lines 2-3). A magnetic sensor 33 is fastened around the rotating shaft 17 using the tubular collar 21 (page 10, lines 8 to 13). As further shown in Figure 1, the commutator 20 is located at one end of the tubular collar 21, and the magnetic sensor 33 is located at the other end of the tubular collar 21. The tubular collar 21 is not part of the commutator 20, but rather supports the commutator 20 (page 10, lines 8 to 13). The magnetic sensor 33 is not mounted on the commutator 20 as claimed, but is rather mounted on the tubular collar 21. The commutator 20 is clearly shown in Figure 1 as being spaced from the magnetic sensor 33. The tubular collar 21 is not the body of the commutator 20, and the commutator 20 does not include the tubular collar 21. The body of commutator 20 is the commutator 20 itself. Therefore, the magnetic ring 33 cannot be attached to the commutator 20. The claimed invention is not anticipated, and Applicant respectfully requests that the rejection be withdrawn.

Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Takeda in further view of Knappe (US 5565721). The Examiner admits that Takeda does not disclose an elastic clip to attach a magnet to a commutator. The Examiner states that Knappe teaches an elastic clip 41, and it would be obvious to construct the motor of Takeda with a magnet secured by an elastic clip to secure the magnet to the shaft. Applicant respectfully disagrees. Claim 11 depends on patentable independent claim 1 and is allowable for the reasons set forth above. The claimed invention is not obvious because neither of the references discloses a motorized reduction gear including a magnetic ring attached on an outer surface of a body of a commutator as claimed. Therefore, the combination of the references does not teach, suggest or disclose the claimed invention. The claimed invention is not obvious, and Applicant respectfully requests that the rejection be withdrawn.

Thus, claims 1-12 are in condition for allowance. No additional fees are seen to be required. If any additional fees are due, however, the Commissioner is authorized to charge Deposit Account No. 50-1482, in the name of Carlson, Gaskey & Olds, P.C., for any additional fees

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or credit the account for any overpayment. Therefore, favorable reconsideration and allowance of this application is respectfully requested.

Respectfully Submitted,

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CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, 571-273-8300 on November 15, 2005.



Amy M. Spaulding